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KACVINSKY LLC			HUYNH, SON P	
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/965,531

Applicant(s)

PENDAKUR, RAMESH

Examiner

Son P. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to amended claims 1-13, 18-20 have been considered but are moot in view of the new ground(s) of rejection.

In response to Applicant's argument that amended claims 5-7 recites "computer-readable medium" are directed to statutory subject matter, the Examiner respectfully disagrees.

Pages 52-53 of the interim guidelines states "computer-readable medium encoded with a data structure defines structural and functional interrelationships... and is thus statutory" or "a computer readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest...., and is thus statutory.

Amended claims 5-7 recite "a computer-readable medium having stored thereon data representing sequences of instruction that when executed cause a computer to:" does not necessarily define structural and functional interrelationships between the data structure/the computer program and hardware components which permit the data structure's/computer program's functionality to be realized, and is thus statutory.

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Applicant further argues the combination of Schaeffer in view of Ellis does not disclose first request occurs at a first time prior to transmission of content to a user, while the second request occurs at a second subsequent time after transmission of the content to the user as added in claims 1,5,8, and 15; Ellis merely discloses requests first and second requests being transmitted based on whether content has been recorded. Moreover, Ellis fails to disclose such recording occurring at a user (page 10, paragraphs 1-3).

In response, these arguments are respectfully traversed.

First, the claims do not recite "recording occurring at a user". The claims recites "two or more notification requests include a first request at a first time prior to transmission of the content to the user to enable the notification system to notify the user of content before it is transmitted, and a second request to enable the notification system to notify the user of content after it has been transmitted". Schaefer discloses transmitting alert information (e.g., an icon, or scrolling "news ticket", or news alert, audio cue, etc. to cellular phone and/or pager for displaying/notifying the user of an event such as an event/a program to be broadcast/transmitted (see include, but are not limited to, paragraphs 0015-0021, 0043-0048, 0051, 0054, 0064-0066, 0069) is read on transmitting notification request including a first request at a first time prior to transmission of the content to the user to enable the notification system to notify the user of content before it is transmitted.

Ellis discloses the transmitting a notification/reminder of interest program/program scheduled to be recorded/viewed to a remote computing device at a

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appropriate time before the program begins as previously set to the user to enable the remote computing device to notify the user of content before it begins (see include, but are not limited to, paragraphs 0136, 0150-0151, incorporated by reference in its entirety, US 2005/0028208 A1, paragraphs 0117-0119, 0156, US 2003/0149988 A1, figures 14a-17) is read on first request at first time prior to transmission of the content to the user to enable to notification system to notify the user of content before it is transmitted. Ellis further discloses When the recording is complete, the program guide may notify the user that the program has been recorded and is available for viewing (paragraph 0149), or the list of recorded program have been recorded is provided to the remotely computing device to notify the user of content after it has been transmitted (and has been recorded) (see include, but are not limited to, paragraphs 0149-0151, figures 19, incorporated by references US 2005/0028208, paragraphs 0169, 0170, US 2003/0149988 A1, figures 18a-18e) is read on a second request at a second subsequent time after transmission of the content to the user, the second request to enable the notification system to notify the user of content after it has been transmitted (program must has been transmitted before it has been recorded).

Therefore, the combination of Schaefer and Ellis discloses transmitting two or more notification requests including a first request (e.g. notification or reminder) at a first time prior to transmission of the content to the user to enable the notification system to notify the user of content before it is transmitted, and a second request (notification or information to notify the recording is complete, or program has been recorded and available to view) at a second subsequent time after transmission of the content to the

user, the second request to enable the notification system to notify the user of content after it has been transmitted.

For the reasons given above, rejections on claims 1-13, 18-20 are analyzed as discussed below.

Claims 14-17 have been canceled.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 5-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Pages 52-53 of the interim guidelines states "computer-readable medium encoded with a data structure defines structural and functional interrelationships... and is thus statutory" or "a computer readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest...., and is thus statutory.

Amended claims 5-7 recite "a computer-readable medium having stored thereon data representing sequences of instruction that when executed cause a computer to:"

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does not necessarily define structural and functional interrelationships between the data structure/the computer program and hardware components which permit the data structure's/computer program's functionality to be realized, and is thus statutory.

The limitation "a computer-readable medium having stored thereon data representing sequences of instruction that **when executed** cause a computer to" should be replaced as – "a computer-readable medium encoded with computer executable instructions being executed by a computer to perform --

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-13, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al. (2002/0124252 A1) in view of Ellis et al. (US 2004/0117831).

Regarding claim 1, Schaefer discloses a method comprising:

accessing content descriptive data corresponding to content operable to be transmitted to a reception system associated with a user (read on processing

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information event (title, channel, descriptive information) corresponding to event (i.e. football game, a movie, etc.) to be transmitted to a receiving apparatus (e.g., 152,154,162,158) associated with a user – figure 2, paragraphs 0015-0016);

accessing preference data that describes a content preference of the user and a notification preference of the user (read on processing user profile with preferences that describes types of information that is interest to a user and preference of alert information such as only alert at certain time, certain program, certain channel, certain type of alert such as “parental control” alert, news alert, sport alert, etc. - figure 7, paragraphs 0015-0019,0029, 0043-0048);

determining to notify the user by comparing the content descriptive data with the preference data and determining that the content descriptive data matches the preference data (read on determining to alert the user by comparing information event (e.g. title, channel, descriptive information, etc.) correspond to event with information in the user profile and determining the matches of the data to alert only certain information items to user according with user profile to the user – see include, but not limited to, figure 7, paragraphs 0015-019, 0021, 0062-0065);

enabling notification of the user by transmitting a notification requests to a notification system, the notification system designated by the notification preference of the user (enabling/displaying visual notification (such as an icon or scrolling “news ticket”) and/or audio cue to the user about the “parental control” alert, news alert, sports alert, etc. by transmitting a visual requests and/or a cue, or information alerts, to cellular telephone or pager as desired by the user for displaying/notifying in according with the



notification preference such as certain time, certain program, certain channel, etc. configured by the user in the user profile.— see including, but are not limited to, paragraphs 0015-0021, 0028, 0043-0048, 0051, 0054, 0064-0066, 0069).

Schaefer further discloses the notification requesting system is a notification system to generate a first request at a first time prior to transmission of the content to the user to enable the notification system to notify the user of content before it is transmitted (transmitting request for information alert of the content before the content is transmitted – paragraphs 0016-0019). However, Schaefer does not specifically disclose the a second request at a second subsequent time after transmission of the content to the user, the second request to enable the notification system to notify the user of content after it has been transmitted.

Ellis discloses the transmitting a notification/reminder of interest program/program scheduled to be recorded/viewed to a remote computing device at a appropriate time before the program begins as previously set to the user to enable the remote computing device to notify the user of content before it begins (see include, but are not limited to, paragraphs 0136, 0150-0151, incorporated by reference in its entirety, US 2005/0028208 A1 (hereinafter referred to as E208), paragraphs 0117-0119, 0156, US 2003/0149988 A1 (hereinafter referred to as E988), figures 14a-17) is read on transmitting first request at first time prior to transmission of the content to a user to enable to notification system to notify the user of content before it is transmitted.

Ellis further discloses when the recording is complete, the program guide may notify the user that the program has been recorded and is available for viewing (paragraph 0149), or the list of recorded program have been recorded is provided to the remotely computing device to notify the user of content after it has been transmitted (and has been recorded) (see include, but are not limited to, paragraphs 0149-0151, figures 19, incorporated by references E208, paragraphs 0169, 0170, E988, figures 18a-18e) is read on a second request at a second subsequent time after transmission of the content to the user, the second request to enable the notification system to notify the user of content after it has been transmitted (program must has been transmitted before it has been recorded). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schaefer to use the teaching as taught by Ellis in order to notify the user of the complete recorded and available content, thereby improve convenience to user to select a program for viewing.

Regarding claim 2, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 1. Schaefer further discloses accessing content descriptive data corresponding to digital multimedia entertainment content selected for transmission to the reception system and operable to be transmitted over a broadcast channel to the reception system which comprises a memory to store the content (accessing program information/event information corresponding to programs/events selected for transmission to the reception system (i.e. set top box, pager, cellular phone, etc.), the program information/event information and programs/events are transmitted to set top

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box, pager, cellular phone, etc. over a broadcast channel; the reception system comprises a memory to store the program/event – figures 1-3, paragraphs 0015, 0021, 0027, 0051, 0052).

Alternatively, this additional limitation read on Ellis' disclosure of accessing program guide data comprises program title, program channel, program time, etc. selected to be transmitted over a channel to user television equipment which comprises a memory (e.g., digital storage device, secondary storage device, etc.) to store the content (see include, but are not limited to, figure 1a, paragraphs 0094-0102, incorporated by references E208, figures 3-4, paragraph 0067; E988, figure 7, paragraph 0060).

Regarding claim 3, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 1. Schaefer further discloses generating a notification request (information alert, visual information (icon or "news ticker") and/or audio cue) by using at least a portion of the content descriptive data (i.e. name of event/program, type of channel, etc.) – paragraphs 0015-19, 0028);

transmitting the two or more notification requests by using a predetermined stored address corresponding to the notification system (transmitting information alerts to predetermined device address, i.e. addresses of pager, telephone, etc. so that only subscribers receives information alerts – paragraphs 0016-0019, 0032).

Alternatively, Ellis further discloses generating a notification request by using at least a portion of the content descriptive data (e.g. program title, channel, or time, etc. –

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see include, but are not limited to, figure 19, paragraphs 0130, 0136, 0149-0151, US 2005/0028208, paragraphs 0115-0119; US 20030149988, figures 14a-18d);

Ellis also discloses the reminder, notification, recorded program title, etc. is transmitted to particular remotely computing device (e.g., pager, personal computer, palmtop computer, PDA, etc. as set by the user— see include, but are not limited to, paragraphs 0149-0151, E208, paragraphs 0092, 0099, 0117-0119). Thus, the two or more requests are inherently transmitted by using a predetermined stored address corresponding to the notification system (e.g. address of particular remote computing device that set to receive the reminder, notification, recorded program title, etc.) so that the notification, reminder, etc. is sent to the remote computing device at appropriate time and display to the user at the remote computing device.

Regarding claim 4, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 1. Schaefer further discloses transmitting a notification request (information alert, visual information (icon or “news ticker”) and/or audio cue) operable to cause a notification from the notification system selected from the group consisting of a pager, and a phone (transmitting information alert to cause an alert from the notification system selected from the group consisting of a pager, cellular phone – paragraphs 0015-0021, 0047).

Alternatively, Ellis further discloses the notification system is selected from the group consisting of a pager, and a phone (see include, but are not limited to, paragraph 0151, E208, paragraphs 0092, 0119).

Regarding claims 5 and 7, the limitations as claimed are directed toward embodying the method of claims 1 and 3 respectively in "computer readable medium", and are analyzed as discussed in the rejections of claims 1, 3.

Regarding claim 6, Schaefer further discloses instructions causing the computer to transmit the notification requests (information alert, visual information (icon or "news ticker") and/or audio cue) to a notification system selected from the group consisting of a personal computer, a laptop, a person digital assistant, and an email account (paragraphs 0015-0016, 0039-0042).

Ellis also discloses instructions to enable notification of the user by transmitting the two or more notification requests (e.g., reminder, notification, recorded title, etc.) to the notification system (remote computing device) further comprises instructions causing the computer to transmit the two or more notification requests to the notification system selected from the group consisting of a personal computer, a laptop, a personal digital assistant, and an email account (see include, but are not limited to, paragraphs 0149-0151, E208, paragraphs 0092,0099, 0117-0119).

Regarding claims 8-10, the limitations of the system as claimed correspond to the limitations of the method as claimed in claims 1, 4, 3 respectively, and are analyzed as discussed with respect to the rejection of claims 1, 4, 3. Furthermore, since the information alert is only provided and displayed for only certain program name/event,

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channel, time, etc. according to preference data configured in user profile (paragraphs 0015-0021), the notification request is inherently issued if the content descriptive data matches the profile.

Alternatively, Ellis discloses providing notification of an interest program, a reminder, a recorded program title, etc. to the remotely computing device as desired/set by the user (see include, but are not limited to, 0130, 0136, 0149-0151; E208, 0115-0119). Thus, the notification requesting system (e.g., television distribution facility, or user television equipment, or program guide equipment 17 – figures 1a-1d, E208, figures 2a-2d, 6a-6c) inherently access the content descriptive data and the profile (program guide information, and user preferences/profile/preset information), to compare the content descriptive data and the profile, and to transmit two or more notification requests (e.g., notification, reminder, selected title of recorded programs, etc.) to a notification system (remote computing device) across a link, the notification system designated by the notification preference of the user, if the content descriptive data matches the profile so that only desired/interest notification, reminder, or title of recorded program, etc. are transmitted to the remote computing device as preset by the user.

Regarding claim 11, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 8. Schaefer further discloses the digital content includes digital content having a type that is selected from the group consisting of music, software, and video

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game (movie, commercial, music video, computer games, etc. paragraphs 0015, 0038, 0042, 0048).

Alternatively, Ellis further discloses the digital content include digital content having a type that is selected from the group consisting of music, software, and video game (see include, but are not limited to, figures 2-3, 54A-54E).

Regarding claim 12, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 8. Schaefer further discloses the profile (either stored in set top box or headend, or remote control unit) is coupled with the user via a communication link and operable to be modified by the user (figure 2, paragraphs 0027, 0045, 0048, 0049).

Alternatively, Ellis further discloses the profile is coupled with the user via a communication link and operable to be modified by the user (see include, but are not limited to, paragraphs 0102, 0130-0131, 0148, 0150-0151, 0160, 0162, **0202**-0203, 0212, E208, paragraphs 0120-0126, 0161).

Regarding claim 13, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 8. Schaefer further discloses preference data (user profile information) was obtained by observing and recording content consumption by the user (user profile was accumulated as the user participates in or uses the interactive video castings system. For example, user purchases items – paragraph 0049).

Alternatively, Ellis further discloses the profile comprises preference data that was obtained by observing and recording content consumption by the user (e.g. by

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monitoring viewing habits, viewer activities, etc. – see include, but are not limited to, paragraphs 0130-0131).

Regarding claim 18, Schaefer discloses a system comprising:

a receiver (interpreted as receiver of provider, or receiver coupled to set top box, etc.) to receive broadcast content (i.e. program 402) and content descriptive data (program information) – figures 1, 2, paragraphs 0015, 0023, 0042);

a notification requesting system coupled to the receiver (interpreted as interface to the receiver, memory that store user profiles, processor that coupled to the set top box) and comprising a predetermined notification system address corresponding to a notification system to receive the content descriptive data and transmit a two or more notification requests addressed to the notification system, the notification requests comprising the content descriptive data (since the information alerts/programs are sent to particular device such as television display device, cellular telephone, pager, etc.– paragraphs 0015-0021, 0032, the device address is inherently comprised in the notification requesting system so that the notification system sends the information alerts to the particular subscriber or device such as television display device, cellular telephone, pager, etc. based on information configured in user profile by the user. The notification requesting system transmits information alerts and sends information alerts comprises information of the event to predetermined devices i.e. pager, cellular phone, paragraphs 0015, 0032, 0039-0047, 0053); and



a transmitter (i.e. at the provider or at the set top box that interface to the pager, cellular phone, etc. – figure 2) coupled with the notification requesting system to receive the addressed notification requests and to transmit the requests to the notification system (receive and transmit information alerts to addressed devices such as pager, cellular phone, television display device, etc. according to preference data configured by the user in user profile before transmit the information alerts to the pager, phone, etc.– paragraphs 0015-0021, 0039-0047, figure 2).

Schaefer further discloses the notification requesting system is a notification system to generate a first request at a first time prior to transmission of the content to the user to enable the notification system to notify the user of content before it is transmitted (transmitting request for information alert of the content before the content is transmitted – paragraphs 0016-0019). However, Schaefer does not specifically disclose the a second request at a second subsequent time after transmission of the content to the user, the second request to enable the notification system to notify the user of content after it has been transmitted.

Ellis discloses the transmitting a notification/reminder of interest program/program scheduled to be recorded/viewed to a remote computing device at a appropriate time before the program begins as previously set to the user to enable the remote computing device to notify the user of content before it begins (see include, but are not limited to, paragraphs 0136, 0150-0151; E208- paragraphs 0117-0119, 0156, E988- figures 14a-

17) is read on transmitting first request at first time prior to transmission of the content to a user to enable to notification system to notify the user of content before it is transmitted.

Ellis further discloses when the recording is complete, the program guide may notify the user that the program has been recorded and is available for viewing (paragraph 0149), or the list of recorded program have been recorded is provided to the remotely computing device to notify the user of content after it has been transmitted (and has been recorded) (see include, but are not limited to, paragraphs 0149-0151, figures 19, incorporated by references E208, paragraphs 0169, 0170, E988, figures 18a-18e) is read on a second request at a second subsequent time after transmission of the content to the user, the second request to enable the notification system to notify the user of content after it has been transmitted (program must has been transmitted before it has been recorded). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schaefer to use the teaching as taught by Ellis in order to notify the user of the complete recorded and available content, thereby improve convenience to user to select a program for viewing.

Regarding claim 19, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 18. Schaefer further discloses the notification system is a mobile notification system (i.e. pager, cellular phone, PDA – paragraphs 0039-0047). Schaefer further discloses the information alert/data is transmitted to a particular devices i.e. particular pager, only subscribers, etc. – paragraphs 0015-0021, 0032, 0053).

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Inherently, the notification requesting system comprises an address of the mobile notification system.

Alternatively, Ellis further discloses the notification system is a mobile notification system (e.g. pager, palmtop computer, PDA, etc. – paragraph 0151, E208, paragraphs 0092, 0118-0119);

Ellis also discloses the television distribution facility, user television equipment, or television distribution equipment 17 transmits the notification, reminder, or title of recorded programs, etc. to the particular remote computing device (e.g. pager, palmtop computer, PDA, etc.) as previously set by the user (see include, but are not limited to, paragraphs 0130, 0136, 0151-0152, E208, figures 2a-2d, 6a-6c, paragraphs 0092, 0115-0119). Thus, the notification requesting system (e.g., television distribution facility, user television equipment, or television distribution equipment 17 inherently comprises an address of the mobile notification system (remotely computing device such as PDA, pager, palmtop computer, etc.) so that the notification requesting system sends the notification to particular remote computing device as preset by the user/operator.

Regarding claim 20, Schaefer in view of Ellis teaches a method as discussed in the rejection of claim 18. Schaefer further discloses the system further comprises:

- a cache to stored received content (paragraphs 0027, 0038, 0052);

- a profiling system to modify a user profile by storing content descriptive data for content that the user consumes (paragraphs 0045, 0048-0049).

Alternatively, Ellis further discloses a cache to store received content (e.g., memory/storage device at the television distribution facility, or at the user television equipment for storing program content – see include, but are not limited to, figure 1a, paragraphs 101-0102, E208, figures 2a-4, paragraphs 0081, 0083-0086);

a profiling system to modify a user profile by storing content descriptive data for content that the user consumes (see include, but are not limited to, paragraphs 0102, 0130-0131, 0148, 0150-0151, 0160, 0162, **0202**-0203, 0212, E208, paragraphs 0120-0126, 0161).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ellis et al. (US 7,185,355) discloses program guide system with preference profiles.

Knudson et al. (US 2005/0204388 A1) discloses series reminders and series recording from an interactive television program guide.

Boyer et al. (US 2002/0026496 A1) discloses electronic mail reminder for Internet television program guide.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

March 29, 2007



SCOTT E. BELIVEAU  
PRIMARY PATENT EXAMINER